

TOWN OF ERWIN PLANNING BOARD MEETING

MONDAY, MAY 4, 2015

7 P.M. ERWIN TOWN HALL

310 TOWN CENTER ROAD

Present: Chairman Wayne Kennedy, James McCarthy, Ted Metarko, John Gargano, Patricia Thiel, Brian Harpster, Doug Cole, Doug Porter

Absent: Matt Maslyn

Guests: Dave Iocco, Jody Allen, Dan Lapp, Robert Halpin, Chuck Coons, Sue Mahler, Sources Post, Robert Drew, Rita McCarthy, Barb Lucas

**CHAIRMAN WAYNE KENNEDY OPENS THE MEETING AT 7:00 PM.**

In accordance with the Planning Board's established procedure, the Board will hear all matters up until 9 PM. Any matters not completed by that time will be held over to the next regular meeting. As is the usual practice, the Board's consultants have met with the applicants prior to this meeting and have gone over the applications to ensure that they are as complete as possible and to point out any errors or omissions that can delay approval.

**MINUTES OF APRIL 6, 2015 DEFERRED UNTIL JUNE 1, 2015 MEETING.**

**1. APPLICATION FROM HHA LLC FOR A 2 LOT SUBDIVISION AT 200 ROBERT DANN DRIVE. WITH PUBLIC HEARING.**

**POINTS TO CONSIDER:**

The applicant seeks to break off a 1.721 acre lot from the existing EconoLodge lot.

The property is located in a T-C Town Center District.

Criteria:	Required:	Proposed:
Lot size	2,500 sq ft	1.721 acres
Lot width	40' max	184.29'
Setbacks (Econo Lodge from proposed, new lot line)		
Side	0 or 10'	63±'

The existing access is off Robert Dann Drive, and is a "right in/right out" only. Section 130-89.D.A.ii requires that "buildings must present their main façade towards the main ingress and egress road..." The main ingress/egress road for the Town Center District is Town Center Road. The newly created lot has no access to the improved, dedicated, Town Center Road.

The applicant states there is no development currently contemplated for the Parcel. The subdivision is to allow flexibility such as refinancing the existing hotel property without the additional land; potentially selling off Parcel B.

Robert Halpin, attorney for HHA LLC, presented the application. Attorney Halpin noted that HHA LLC would like to subdivide the existing 5 acre parcel into Parcel A, which is improved by the EconoLodge hotel, and Parcel B, which would be a vacant lot.

Attorney Halpin noted that in order to address concerns raised at the Preplanning meeting, the following note was added to the map:

NOTE: IN ORDER FOR PARCEL B TO BE DEVELOPED, TOWN CENTER ROAD WITH A HAMMERHEAD AND MUNICIPAL WATER MUST BE EXTENDED TO THE NORTH BOUNDARY OF PARCEL B.

**THE PLANNING BOARD DECLARES THE APPLICATION TO BE COMPLETE.**

**THE PLANNING BOARD REVIEWS THE EAF:**

**ENVIRONMENTAL ASSESSMENT FORM (EAF) – Part 2 – Impact Assessment**

- |  |    |
|--|----|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?  | NO |
| 2. Will the proposed action result in a change in use or intensity of use of land?   | NO |
| 3. Will the proposed action impair the character or quality of the existing community?   | NO |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?                      | NO |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?            | NO |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | NO |
| 7. Will the proposed action impact existing:   |    |
| a. public / private water supplies?  | NO |
| b. public / private wastewater treatment utilities?  | NO |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?                                   | NO |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?                     | NO |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?  | NO |
| 11. Will the proposed action create a hazard to environmental resources or human health?   | NO |

**RESOLUTION TO CLASSIFY THIS AS AN UNLISTED ACTION SINCE IT IS A NON-RESIDENTIAL DEVELOPMENT OF LESS THAN 10 ACRES, DECLARE THE PLANNING BOARD LEAD AGENCY AND MAKE A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE.**

**MOTION BY: TED METARKO  
DISPOSITION: 7-0**

**SECONDED BY: PATRICIA THIEL**

**CHAIRMAN KENNEDY OPENED THE PUBLIC HEARING AT 7:37.**

**CHAIRMAN KENNEDY CLOSED THE PUBLIC HEARING AT 7:37.**

**UPON HEARING NO APPLICABLE ADVERSE COMMENT FROM THE PUBLIC, THE PLANNING BOARD APPROVES THE SUBDIVISION.**

**MOTION BY: JAMES McCARTHY  
DISPOSITION: 7-0**

**SECONDED BY: JOHN GARGANO**

**The applicant is advised that the approval expires if the plat is not filed with the County Clerk within 62 days of signature.**

## **2. SITE PLAN AMENDMENT APPLICATION FROM ARNOT MEDICAL FOR A MOBILE MRI AT 418 S. HAMILTON ST. WITH PUBLIC HEARING.**

The applicant seeks to make provisions on the site to accommodate a trailer containing MRI equipment to be driven onto the site for a one day, periodic use. Construction of an 8' X 20' canopy is proposed.

### **POINTS TO CONSIDER:**

The project is located in a B-1 zone.

The is a Type II action under SEQR since it is a nonresidential structure less than 4000 sq ft, does not involve a change in zoning or a use variance, and is consistent with local land use controls not involving radio communication or microwave transmission facilities. No further SEQR action is required.

The site is small for the turning movements of the truck and trailer delivering and removing the equipment. The site plan proposes to relocate the dumpster and remove 7 parking spaces. The existing building is 15,072 sq ft. In accordance with §130-78.A.1.a.ii one space is required for every 300 sq ft, for a total of 50 parking spaces. With the 7 spaces removed, 58 spaces would remain.

Because the site is small for the truck turning movements, the Planning Board may wish to include restrictions on hours for drop off and pick-up of the MRI equipment, and that the trucks must approach Beartown Road from the south.

Additional electrical infrastructure is required. In accordance with §130-89.D.B.vii Utilities, all utilities must be placed underground. NYSEG has indicated that the only opportunity to provide the initial source of power is to set a new pole just inside the boundary of the Arnot parcel.

Robert Drew, of Hunt Engineering, representing Arnot Medical, presented the application. He noted that Arnot Medical would like to park a 57 foot mobile MRI trailer at the 418 S Hamilton St address one day per week, possibly two days per week in the future. Professional truck drivers would park the trailer at the rear of the building early in the morning and return to remove it after business hours in the evening. Seven parking spaces will be removed to accommodate the trailer, leaving 58 parking spaces where 50 are required.

Engineer Drew noted the tractor and MRI Unit trailer would travel in the early morning from the south on Hamilton Street, turn left onto Beartown Road and turn right into the parking lot to deliver the trailer. After business hours, the tractor would retrieve the trailer, back up within the parking lot and exit the parking lot moving in a forward direction. A diagram showing the turning movements within the parking lot indicate adequate turning radius.

Engineer Drew noted that after consulting with NYSEG it was determined that it is not possible to have the electric service for the MRI unit completely underground. According to NYSEG an underground connection to the existing pole would not be possible. A new pole would be erected a short distance from the existing pole. There would be an overhead connection to the new pole. There would then be an underground connection to a transformer and an underground connection from the transformer to the building.

In response to a question regarding Emergency Service vehicles and access, Engineer Drew noted that there is sufficient room in the parking lot for emergency vehicles such as fire trucks when the MRI Unit is parked.

After discussion regarding restricting hours for drop off and removal of the trailer from the parking lot, it was decided to completely remove the restrictions from the site plan amendment. Considering the drop off and retrieval times would not coincide with school bus hours, that the frequency is limited to once or

twice weekly, and that other tractor trailers currently operate in the area without restriction, it was decided that a restriction would be an unnecessary burden.

Regarding lighting, it was determined that wall packs exist approximately every twenty feet along the length of the building.

Jody Allen of LaBella Associates, acting as Town Engineer, had no issues regarding the application.

**THE PLANNING BOARD DECLARES THE APPLICATION TO BE COMPLETE.**

**THE PLANNING BOARD CLASSIFIES THIS AS A TYPE II ACTION BECAUSE IT IS A NONRESIDENTIAL STRUCTURE LESS THAN 4000 SQ FT, DOES NOT INVOLVE A CHANGE IN ZONING OR A USE VARIANCE, AND IS CONSISTENT WITH LOCAL LAND USE CONTROLS NOT INVOLVING RADIO COMMUNICATION OR MICROWAVE TRANSMISSION FACILITIES. NO FURTHER SEQR ACTION IS REQUIRED.**

**MOTION BY: JAMES McCARTHY  
DISPOSITION: 7-0**

**SECONDED BY: PATRICIA THIEL**

**CHAIRMAN KENNEDY OPENED THE PUBLIC HEARING AT 7:13 PM.**

**CHAIRMAN KENNEDY CLOSED THE PUBLIC HEARING AT 7:14 PM.**

**UPON HEARING NO APPLICABLE ADVERSE COMMENT FROM THE PUBLIC, THE PLANNING BOARD APPROVES THE SITE PLAN AMENDMENT.**

**MOTION BY: DOUG COLE  
DISPOSITION: 7-0**

**SECONDED BY: JOHN GARGANO**

**3. CONCEPT PLAN FROM ST. MARY'S ORTHODOX CHURCH FOR A 7,200 SQ FT, TWO STORY CHURCH AT 61 CANADA RD.**

The applicant seeks construct a two story, 40' X 90" building with a 30 space parking lot and retain the existing house as a rectory. The existing garage will be used in support of the construction, and will be demolished when construction is complete.

**POINTS TO CONSIDER:**

The project is located in a B-2 Office Commercial District.

On the HUNT survey map dated April 3, 1991, the northwest corner of the lot is shaded and notes a NYSDEC Map. It is possible that this is part of the flood storage area taken by easement by NYSDEC. This area needs to be depicted on the Site Plan and an explanation of this area and how it affects the proposed Site Plan is needed.

The Town of Erwin has an easement against the property for water utility. This area needs to be depicted on the Site Plan and an explanation of this area and how it affects the proposed Site Plan is needed.

Additional items necessary:

Letter or Agency from the property owner

Grading Plan

Lighting Plan

Elevation View

Demonstration that the building meets the two story requirement  
Color and fenestration  
Interior parking lot landscaping  
Overlay on the Site Plan map of:  
    DEC easement  
    Town of Erwin Water Easement  
    Aquifer Protection Overlay Zone  
Distance between the rectory and the Church  
Sign off from the Fire Chief

Question 12.b needs to be completed on the EAF.

Chuck Coons, President of St. Mary's Church, presented the application. The Church has been fundraising for 15 years to be able to build a church allowing for handicap accessibility, an area for church school and better parking. The existing church in Corning has 40 steps.

The new church would have a capacity of 140 people and storage. The basement level would be used as a social hall. There would be a kitchen. Church services are held one evening per week and Sundays. The congregation is approximately 50 parishioners and the number of vehicles for parking is typically 25.

Mr. Coons noted that it is hoped to break ground in October. The existing farmhouse would remain and would be used as a rectory. After construction of the new church is complete, the existing garage and dirt driveway would be removed.

There is a large change in elevation on the property which will be used to give one story the appearance of two stories from the road in order to meet code requirements. It was noted that the steeple is exempt from height restrictions. Elevations will be available at the next meeting.

Robert Drew, engineer for the Town, noted that in the event that more than one acre of land is disturbed in the course of construction, the DEC becomes an involved agency.

Engineer Iocco noted that he will be careful to limit the disturbance to less than 1 acre.

**THE PLANNING BOARD DECLARES THE APPLICATION TO BE INCOMPLETE.**

**RESOLUTION TO CLASSIFY THIS AS AN UNLISTED ACTION SINCE IT IS A NON-RESIDENTIAL DEVELOPMENT OF LESS THAN 10 ACRES, DECLARE THE INTENT OF THE PLANNING BOARD TO BECOME LEAD AGENCY.**

**MOTION BY: PATRICIA THIEL**

**SECONDED BY: TED METARKO**

**DISPOSITION: 7-0**

**RESOLUTION TO ADJOURN THE MEETING AT 8:04 PM.**

**MOTION BY: JAMES McCARTHY**

**SECONDED BY: PATRICIA THIEL**

**DISPOSITION: 7-0**